

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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AMERICAN LIST COUNSEL, INC.,

Plaintiff,

v.

ANDREW OSTROY and BELARDI-  
OSTROY, LTD.,

Defendants.

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Civil Action No. 12-3350 (MAS) (DEA)

This matter comes before the Court upon Defendants Andrew Ostroy and Belardi-Ostroy Ltd.'s (collectively "Defendants"), Motion to Dismiss Plaintiff American List Counsel, Inc.'s Second Amended Complaint. (Defs.' Mot., ECF No. 13.) Plaintiff filed Opposition to Defendants' Motion. (ECF No. 16.) Defendants filed a Reply. (ECF No. 18.) The Court has carefully considered the Parties' submissions and decided the matter without oral argument pursuant to Local Civil Rule 78.1. For the reasons set forth in the accompanying Opinion, and for other good cause shown,

**IT IS** on this 31<sup>st</sup> day of July, 2013, **ORDERED** that:

Defendants' Motion is GRANTED.

s/ Michael A. Shipp

**MICHAEL A. SHIPP**

**UNITED STATES DISTRICT JUDGE**